



05-05-06

1763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ellis et al.

Serial No.: 09/884,205

Filed: June 19, 2001

For: System and Method for Post-Fabrication
Reduction of Minimum Feature Size
Spacing of Microcomponents

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Confirmation No.: 3766

Group Art Unit: 1763

Examiner: Olsen, Allan W.

Attorney Docket No.: 34003.20

Customer No.: 27683

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed on April 28, 2006, Applicants hereby submits a copy of the Response to Non-Final Action filed on February 6, 2006 and the following remarks:

With reference to the Notice of Non-Compliant Amendment mailed on April 28, 2006, the Legal Instruments Examiner objected to the Amendment previously filed by Applicants on February 6, 2006, because Claims 49-50 did not include the proper status identifiers.

Applicants believe the Notice of Non-Compliant Amendment to be in error as Claims 49-50 clearly contained the proper status identifiers of "Previously presented". These claims have remained unchanged since their last presentation. Therefore, Applicants believe the identifiers are correct.

As the Notice of Non-Compliance was clearly issued in error and Applicants submitted the original response to office action mailed November 7, 2005 timely, Applicants believe that no fee is due in association with the filing of this Response. However, should it be found that additional fees are in fact required, the Commissioner is hereby authorized to charge any additional fee required by this paper, or to credit any overpayment, to Deposit Account No. 08-1394 of Haynes and Boone LLP.

Further, as the Notice of Non-Compliant Amendment was issued in error, it is hereby noted that Applicants should not be penalized by a deduction of Patent Term Adjustment for the delay in review, by the Examiner, of the February 6, 2006 response to Non-Final Action.

It is respectfully requested that the PTO now proceed with examination of this application.

Respectfully submitted,

Dave R. Hofman
Registration No. 55,272

Dated: 5/4/06
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R135636.1

EXPRESS MAIL NO.: EV 578074906 US

DATE OF DEPOSIT: MAY 4, 2006

This paper and fee are being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Michelle Baxter



Attorney Docket Number: 34003.20
Customer No.: 27683

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**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**RESPONSE TO NON-FINAL OFFICE ACTION MAILED NOVEMBER 7, 2005**

The present paper is submitted in response to the Office Action of November 7, 2005. No fees, including extension of time fees, are believed necessary for consideration of the present paper. However, if any fees are necessary, including extension of time fees, the extension of time is hereby requested, and the Commissioner is hereby authorized to charge any fees, including those for the extension of time, to Haynes and Boone, LLP's Deposit Account No. 08-1394.

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.